

1 that continued, how long you taped it over the air?

2 A To this day. It still goes on.

3 Q So is it -- so it is either taped over the air
4 mailed, one or the other?

5 JUDGE STEINBERG: I think we are confusing things.
6 I mean, you didn't say that the network taped the program
7 over the air, did you?

8 THE WITNESS: It does, Your Honor.

9 JUDGE STEINBERG: The network tapes the programs?
10 Okay.

11 THE WITNESS: Yes, Your Honor.

12 JUDGE STEINBERG: I don't think that was in there
13 before. I understood it to be VOS taped them over the air
14 and then mailed them to you.

15 THE WITNESS: No, we --

16 JUDGE STEINBERG: Is that wrong?

17 THE WITNESS: We tape them over the air, Your
18 Honor.

19 MR. ARONOWITZ: Oh, that's what I understood.

20 JUDGE STEINBERG: Okay.

21 BY MR. ARONOWITZ;

22 Q So why would they be mailed?

23 A Well, initially, they were mailed.

24 Q Okay.

25 A And then later on down the road we taped them over

1 the air.

2 Q Okay.

3 JUDGE STEINBERG: So initially Mr. Blabey or
4 somebody at WVOX would tape the programs, and then send the
5 tapes to the tapes to the network?

6 THE WITNESS: Yes, Your Honor.

7 JUDGE STEINBERG: But there came a time when that
8 practice stopped?

9 THE WITNESS: It made more sense just to tape them
10 over the air at the studios of Jukebox Radio, record them
11 and rebroadcast them.

12 JUDGE STEINBERG: You can receive WVOX from
13 Liberty at Fort Lee?

14 THE WITNESS: Via the 56 kilobyte circuit, yes,
15 Your Honor. There is a return channel on there which as
16 WVOX audio on it, which goes right to a cassette machine and
17 we record it right there.

18 BY MR. ARONOWITZ;

19 Q I'm going to change topics to the inspections now.

20 A Yes, sir.

21 Q Okay. I believe that you've testified that on
22 April 13th you were in Las Vegas?

23 JUDGE STEINBERG: '90?

24 MR. ARONOWITZ: 1994. 1995. Excuse me.

25 THE WITNESS: I don't believe I said that.

1 MR. ARONOWITZ: Okay.

2 BY MR. ARONOWITZ;

3 Q On April 13 -- are you aware of the --

4 A Did you say April 18th or 13th?

5 Q Thirteenth.

6 A Yes.

7 Q Okay.

8 JUDGE STEINBERG: Yes, you were in Las Vegas?

9 THE WITNESS: Yes. Yes, I was in Las Vegas.

10 BY MR. ARONOWITZ;

11 Q And did you subsequently understand that an FCC
12 inspector came to Monticello?

13 A Yes.

14 Q Okay. And you at some point found yourself on the
15 telephone with him?

16 A Yes.

17 Q Okay. And at that -- when you were on the phone
18 with him on April 13th, did you learn that he would -- that
19 the FCC inspector would be going to Dumont the next day?

20 A No.

21 Q You didn't learn it at that time?

22 A No.

23 Q When did you learn that?

24 A After the fact.

25 Q After the fact.

1 When you spoke with the FCC inspector, do you
2 recall what he said to you?

3 A Well, my conversation with him lasted
4 approximately five minutes. He asked me about -- if I were
5 the chief operator. I said yes. He asked me if I was being
6 paid for it. And I said no. He asked me again, "Are you
7 being paid for this?" And I said, "No."

8 He says, "Do you expect me to believe that?" I
9 said, "It's the truth. I am not being reimbursed for being
10 chief operator."

11 He then asked me about remote control capability.
12 I told him there was a remote control in Dumont and that
13 there was a dial-up remote control unit.

14 He then said he wanted to test the WJUX
15 transmitter and turn it on and off. And I explained to him
16 at the time that the antenna was damaged by lightening and
17 that by turning the transmitter on and off he may further
18 damage the antenna, and possibly put WJUX in a position
19 where it would be off the air.

20 I told him I would appreciate it if he didn't do
21 that because I was concerned being 2,000 miles away the
22 antenna would be further damaged and there would be an
23 inability to get the station back on the air until I came
24 back from Las Vegas.

25 He said he would -- at this point my memory gets

1 clouded because I actually know what happened. But I
2 believe there was a discussion about getting an engineer to
3 the transmitter to turn it on and off either that day or the
4 next day. It wasn't made clear to me.

5 And as I had mentioned earlier, he was -- to say
6 the least -- antagonistic on the phone for this.

7 Q I believe -- at that time did you and Mr. Loginow
8 have a conversation with respect to whether the Fort Lee
9 translator could receive the Monticello signal?

10 A Mr. Loginow says to me, "I can barely hear the
11 signal here in Sullivan County. Do you believe that -- do
12 you expect me to believe that this thing can be picked up
13 and rebroadcast back to Fort Lee?"

14 Now, I don't know if he knew at the time whether
15 or not it was going through Pomona. I don't know.

16 I said, I said, "I'm not there right now. I don't
17 know. I would think it's working fine. It's reduced power.
18 I don't know." But, you know, I said to him, I said, "It
19 can and has and does."

20 Q And you have -- you have read and heard Mr. Luna
21 and Mr. Gaghan's testimony with regard to the alleged test
22 where you're on the phone, Luna is the phone with you, and
23 he's also at the board directing Gaghan and Owen to do
24 things?

25 A Yes, I've read it.

1 MR. NAFTALIN: I object to the word "alleged
2 test".

3 MR. ARONOWITZ: Well, I'm just trying to -- an
4 incident.

5 MR. NAFTALIN: Thank you.

6 MR. ARONOWITZ: I remove the word --

7 MR. NAFTALIN: Thank you.

8 MR. ARONOWITZ: What was the objectionable word?

9 JUDGE STEINBERG: Well, it's been removed.

10 MR. ARONOWITZ: Okay, the incident.

11 BY MR. ARONOWITZ;

12 Q Did this happen?

13 A No.

14 Q Did anything like this happen?

15 A No.

16 Q Anything here jog your memory as to what might
17 have happened, what Luna and Gaghan might be talking about?

18 A None.

19 Q Okay.

20 MR. ARONOWITZ: One moment, Your Honor.

21 (Pause.)

22 BY MR. ARONOWITZ;

23 Q Is it possible that during your call -- you said
24 in your statement that you frequently call in or check in
25 when you're away from Dumont, I guess.

1 A That is correct.

2 Q Is it possible on April 13th or April 14th, which
3 we will assume for the moment to be the inspection dates, is
4 there any time you found yourself on the phone with Mr.
5 Luna?

6 A None that I can recall.

7 JUDGE STEINBERG: Let me just -- if you are out of
8 town and you become aware of a technical problem, and you
9 can't get back to Dumont to fix it or look at it, what would
10 you do?

11 THE WITNESS: I would call Alan Kirschner or Nick
12 Doshi.

13 JUDGE STEINBERG: This is during the period -- was
14 this during the period of April '95?

15 THE WITNESS: Yes.

16 JUDGE STEINBERG: And beginning when, I guess, was
17 Mr. Kirschner still there?

18 THE WITNESS: Actually, at this particular point
19 in time -- the two engineers I would have to help me out if
20 I were out of the area, which is very infrequent, Your
21 Honor, would have been Alan Kirschner and Nick Doshi.

22 At the time, I believe, and I could be wrong, that Alan
23 Kirschner was at the NAB convention. It would make sense to
24 think he was there.

25 I would have called Nick Doshi or Steve Pepe, who

1 would have been in town; not at the NAB.

2 JUDGE STEINBERG: Now, would you identify those
3 people and what their backgrounds are and their relationship
4 to Jukebox Radio Network.

5 THE WITNESS: They are basically associates of
6 mine, friends of mine who are second in charge. One of them
7 is Z100 in New York, WHTZ; and Nick Doshi was second man at
8 WZCD New York; not the chief engineer, but the next guy
9 down, the front line guy. And they were both good enough
10 that when their bosses, their chief engineers were away in
11 Las Vegas, they can maintain and repair equipment. And
12 because they were second men, second run guys, they would be
13 the ones to stay behind when the NAB was in Washington.

14 So if there was a problem, those are the two
15 gentlemen I would call.

16 JUDGE STEINBERG: Assume that Mr. Kirschner is not
17 available and those two people aren't available, what would
18 you do?

19 THE WITNESS: That would be really rare, Your
20 Honor.

21 JUDGE STEINBERG: Did it ever happen?

22 THE WITNESS: No.

23 JUDGE STEINBERG: Okay, so then let's forget about
24 that.

25 MR. ARONOWITZ: Okay.

1 JUDGE STEINBERG: Under any circumstances that --
2 any circumstances would you have called Mr. Luna with
3 respect to a technical problem?

4 THE WITNESS: No.

5 JUDGE STEINBERG: Or to make an adjustment?

6 THE WITNESS: There are no adjustments, Your
7 Honor.

8 BY MR. ARONOWITZ;

9 Q The two gentlemen that you mentioned, Nick?

10 A Doshi.

11 Q And who is the other gentleman? Doshi and?

12 A There are three: Alan Kirschner, Nick Doshi and
13 Steve Pepe.

14 Q Pepe?

15 A Yes, sir.

16 Q Were these -- and I'm not sure that i heard you,
17 were these Jukebox Radio employees?

18 A No.

19 Q So you would -- they would have to then come in
20 from another area to --

21 A Well, they lived in the area, and I'll give you an
22 example.

23 There was a weekend I was at a live broadcast, I
24 was away from the station doing a live broadcast. Chuck
25 Garland was in panic because the cart. machine stopped. It

1 ceased to function, and that was a bad thing.

2 I called Steve Pepe, he lives 10 minutes from the
3 studio. I said, "Steve, I don't know what's wrong. You
4 have to go down and fix the cart. machine for me." He's not
5 an employee. I said, "What do I owe you?" He says, "You
6 owe me dinner." So I mean, he wasn't an employee. He's
7 somebody who helps me out in a jam, just like I would do for
8 him.

9 Q Doshi and Pepe worked at other stations?

10 A Yes.

11 Q And do you know when they worked? I mean, what
12 hours they worked?

13 Q Typical nine to five.

14 Q Okay. So they wouldn't have been available to
15 during the day?

16 A Oh, sure, they would. They can leave.

17 Q They would leave their job to go --

18 A It is just a rare instance that I'm not around,
19 and something breaks very rare. But they do have the
20 ability that if they need -- just like I do. Engineers can
21 come and go with the wind. You know, they would come down
22 and they can do it, sure.

23 Q And were they familiar with your operation?

24 A Sure.

25 Q They knew how to operate the stuff?

1 A Oh, yeah.

2 Q Okay. the TC-8s and everything?

3 A Sure.

4 Q Even the codes? I mean, the status lights and the
5 channels?

6 A The ones that were labeled, yes.

7 Q But you also said Doshi, Pepe and Kirschner, but
8 Kirschner was with you in Vegas at that time?

9 A All I said was that Alan Kirschner, I believe, was
10 with me at the time.

11 Q Okay.

12 JUDGE STEINBERG: He said it was basically
13 probable that he was there in Las Vegas.

14 MR. ARONOWITZ: Okay. I just wanted to
15 understand.

16 BY MR. ARONOWITZ;

17 Q And then after the April, the two dates in April,
18 the next FCC inspection you became aware of was the one
19 conducted on May 15, 1995; is that correct?

20 A I didn't become aware of that for some time.

21 Q Right.

22 A Yes.

23 Q But at some time you became aware of that?

24 A Yes.

25 Q And I think you've referred to that as the jamming

1 incident?

2 A Exactly.

3 Q So that we know what we're talking about.

4 A Right.

5 Q And some time later, during the later visit, I
6 think that was the August 2, 1995, visit you were with Mr.
7 Loginow and you brought up the jamming incident, or the
8 jamming incident was brought up. The two of you discussed
9 it.

10 A I brought it up.

11 Q Okay. And at that time did you tell him about the
12 receive antenna in the basement of Fort Lee?

13 A I tried to.

14 Q Can you explain that?

15 A We were on the roof and I was showing him around.
16 I showed him the receiving antenna for Pomona which was
17 currently in use at that time.

18 Q Right.

19 A I went back to it because the vandalism had
20 stopped. I showed him the hot spot on the roof for 99.7,
21 and I said, "Listen, I also have other receiving antennas
22 that I use also that I would like to show you." I didn't
23 refer to basement. I said, "I have other receiving antennas
24 I would like to show you."

25 He says, "I really don't care about that. I only

1 want to see what you're using today."

2 I said, "Okay," and that was it.

3 Q And did you testify the other day that somewhere
4 in this conversation you came to an understanding that Serge
5 was on, and I think you used the term "marching orders from
6 Washington"?

7 A Exactly.

8 Q And did you ask him about that?

9 A I'll try to recant the conversation to you as I
10 recall it to answer your question. I basically said to
11 Serge, I said, "I don't appreciate the fact that I'm 2,000
12 miles from home. You're conducting an inspection, and
13 you're yelling and screaming at me and I can't understand
14 half the things you're saying to me. I am not a criminal.
15 I am not a crook. I would appreciate it if you would talk
16 to me in the same tone I talk to you."

17 And he says, "I'm really," he says, "I apologize
18 or I'm sorry," something in that vein, "but I have my
19 marching orders from Washington to get to the bottom of this
20 and I was going to do it."

21 Q All right. You said you were 2,000 miles away
22 during this conversation, so did this --

23 A No, I said during the inspection I was 2,000 miles
24 away.

25 Q Okay. And did you form an understanding in your

1 mind -- what did you think that meant by "marching orders"?

2 A That someone in Washington had sent him down to
3 figure out how this thing works.

4 Q Okay, and is that what you understood him to mean
5 by "get to the bottom of this"?

6 A To figure out how everything works and I believe
7 he was told go out and figure out what the devil these guys
8 are doing.

9 Q Well, why didn't you insist upon helping Mr.
10 Loginow get to the bottom of this?

11 A Mr. Aronowitz when I was with him, I was nothing
12 but cooperative.

13 Q Well, was it --

14 A Anything he asked me, I would have answered --
15 anything.

16 Q Okay.

17 A And he didn't take that option.

18 Q Was that his responsibility?

19 MR. RILEY: Your Honor, I object to that.

20 JUDGE STEINBERG: This is argumentative.

21 MR. ARONOWITZ: Okay. All right. Let me rephrase
22 that and not make it argumentative.

23 BY MR. ARONOWITZ;

24 Q If you felt that he was on marching orders, did
25 you feel that if he knew about the receiving antenna in the

1 Fort Lee basement, that might have eliminated what was going
2 on here?

3 A I offered to show it him and he didn't want to see
4 it. I offered him about the dial-up remote control in
5 Monticello, and he didn't even put it in his report. So I
6 mean, the things I things I told him obviously wouldn't make
7 any difference anyway, which I didn't know at the time.

8 I didn't know that he was withholding things. I
9 wasn't aware of that.

10 But anything that man wanted I gave him and more.

11 MR. NAFTALIN: Your Honor, I would like to note
12 for the record that Mass Media Bureau in its admissions has
13 already admitted that Mr. Turro cooperative fully with Mr.
14 Loginow during his August 2, 1995, inspection.

15 MR. ARONOWITZ: And I have no reason to doubt that
16 was the case.

17 MR. NAFTALIN: Okay.

18 MR. NAFTALIN: This line of questioning --

19 MR. ARONOWITZ: Well, let me get it right down to
20 it.

21 BY MR. ARONOWITZ;

22 Q What I am concerned about is you have -- you have
23 this understanding that Serge was there on marching orders
24 to get to the bottom of this.

25 A Exactly.

1 Q And did you think that if Serge knew what you are
2 telling us now that this would have shed light on what was
3 going on there?

4 A Let me tell you something. When I asked him about
5 the jamming incident, he neither confirmed nor denied it.
6 He said -- his answer to me was, "Well, you never know."
7 And had he said, "Yes, I jammed it, Mr. Turro tell me why
8 the thing went off the air," I could have said, "Let's go
9 back right now and I'll show you."

10 And when we left the Pomona facility, I said, "Mr.
11 Loginow, is there anything that I need to show you that you
12 need to see? Is there anything that you think we have
13 missed? I will show you everything," and we tested these
14 things to the hilt.

15 JUDGE STEINBERG: When you are saying "we," this
16 was?

17 THE WITNESS: Mr. Loginow and myself, Your Honor.

18 And I even -- without him even asking, I said, "By
19 the way," I said, "I want to show you how this things works
20 at 99.7 FM so you can see how this thing works." And he
21 didn't want to do it.

22 I said, "Listen, I rally," and I had to fight him
23 on this. I said, "The antenna has been vandalized. Someone
24 cut it and stole it. There it sits." I said, "I want to
25 take you out to that point and I'm going to show you how

1 this things works."

2 And I stood there and it worked without any
3 filtering of any type. And he looks at me and goes, "Wow."
4 I said, "This is how I did it." And I said, "This is with
5 nothing. This is -- and this is" -- and this one was one of
6 the worst reception period of the year, August; high
7 humidity, high temperatures. I said, "Here it is. Is there
8 anything that you want to ask me, Mr. Loginow?"

9 He says, "No."

10 And I offered him. I said, "There are other
11 receiving antennas that I use. I will show them to you."
12 He said, "I don't care to see that; only what you're using
13 today."

14 And then I said, "Let's go to Pomona. I want to
15 show you how that works." He goes, "I don't want to see
16 Pomona." I said, "Listen, we're both here. We're both
17 standing here right now. I'm available. If you have the
18 time, let's go now." And he stood there and he thought
19 about it. He says, "Okay, let's go."

20 And we drove up there and we spoke about a variety
21 of things. I said, "Here it is," and both times a big grin
22 came to his face when he saw the car radios in the rack. He
23 says, "That's how you're doing it?" I go, "That's how I'm
24 doing it." I explained the whole thing to him. And that's
25 why I'm shocked and surprised that I am sitting here today.

1 JUDGE STEINBERG: I think that -- well, I won't --
2 I think when Mr. Loginow was testifying about the car
3 radios, that a big smile came to his face on the witness
4 stand too. If anybody remembers that, I do.

5 MR. ARONOWITZ: Well, I just want to ask one
6 question.

7 BY MR. ARONOWITZ;

8 Q Why would you use of care radios engender a big
9 smile?

10 A Because it is so untypical. That's probably the
11 only translator in the country doing that, although Mr.
12 Hurst has already asked me to start modifying it with such
13 reception because he has a lot of clients who can't their
14 translators to work.

15 Q Okay.

16 A And I'll tell you a quick story? What to hear?
17 I'm make this 30 seconds, Your Honor.

18 JUDGE STEINBERG: Talk to Mr. Aronowitz.

19 THE WITNESS: I'm sorry.

20 MR. ARONOWITZ: Well, I don't want to leave us
21 hanging here.

22 THE WITNESS: Oh, no, no, no, no. I'll make --
23 how did I discover this? How did I know this worked?

24 I would drive up to the Pomona facility and I
25 would hear all these stations from all over the place on my

1 little Miata car radio. I said, "Holy crow, this little 10
2 or 50 dollar radio picks up signals from 100 miles away." I
3 had every single receiver attempting to pick this thing up.
4 Nothing worked except a \$149 car radio. And until Mr. Hurst
5 tested the radio, I had no idea why it worked. It just
6 worked. It was an accident.

7 BY MR. ARONOWITZ;

8 Q I believe you stated, and it might be your
9 supplemental statement, but I will just ask you, did you
10 ever show Mr. Loginow the hot spot on the Fort Lee roof?

11 A Yes.

12 Q Okay. And when you say that you showed him the
13 hot spot, I'm going to ask you, does that mean that you put
14 the receiver in the middle of the hot spot and turned it on,
15 or did you walk around and show him the phenomena of the hot
16 spot?

17 A I showed him the phenomena of the hot spot with
18 the antenna in the hot spot.

19 JUDGE STEINBERG: Why don't you explain what you
20 did? You used a whipping antenna?

21 THE WITNESS: What happened is this. I had a
22 spare radio in a bag in the room, which was -- the original
23 radio I had used from day one that I had tested, and to this
24 day I still have the same bag. Well, not the same -- well,
25 I don't have the bag with me.

1 But I had a radio in a black carry bag with a 12-
2 volt battery, with a set of headphones and a little 18-inch
3 whip antenna, a car antenna. And that's how I found the hot
4 spot.

5 What I did was when I knew I had to receive audio
6 from Monticello, New York, I put the head phones on. I go
7 on the roof. I would just be walking around like this
8 seeing if there is any place where I can pick this thing up,
9 and I did that even before WJUX was on the air. I did it
10 listening to 99.3 out of Ellenville, New York, 120-watt FM
11 radio station approximately 60 miles away, and I walked
12 around the roof and I'm saying, "Oh, boy, I've got to make
13 this thing work." And i found a point where everything,
14 Your Honor, from the north, New York state, came in loud and
15 clear, 99.3, 91.7. I could hear all these radio stations.
16 I'm like, "Holy crow, I can't believe this thing works."
17 And I tested it day after day, went back at night, went in
18 the morning, and it was always there. It's a phenomenon. I
19 have my own explanation of why I think it works, but that's
20 me. It works.

21 And that particular day when Mr. Loginow was there
22 I did the same thing I had done nine months earlier. I
23 said, "Come on. You've got to see this." And not to prove
24 anything to him, but it's something incredible to see.

25 JUDGE STEINBERG: Did he have the headphones on?

1 THE WITNESS: Yes, and he listened to it, and it
2 came in loud and clear, Your Honor, with a whip antenna and
3 with no filtering whatsoever, zero.

4 BY MR. ARONOWITZ;

5 Q Did Mr. Loginow walk around and --

6 A No, we didn't do that.

7 I said, "Here's the hot spot. Here it is." So we
8 didn't walk around.

9 Q So based upon what you observed, would Mr. Loginow
10 have seen the phenomenon of the hot spot? In other words,
11 that it would drop off, or he just heard that it worked?

12 A He just heard that it worked.

13 Q Okay.

14 JUDGE STEINBERG: What do you mean that it would
15 drop off? What dropped off?

16 MR. ARONOWITZ: Well, as I understand -- as I
17 understand it, the hot spot Mr. Turro has described in his
18 supplemental statement is four square feet.

19 In my simplistic legal view of the world, I would
20 say put the receiver here, whatever the receiver is, whether
21 it's the antenna or the radio, but the receiver here, and
22 turn it on. I hear it. Versus put the receiver whatever it
23 is, the antenna or the radio, in the hot spot, move it four
24 and a half feet to the left, hear the signal drop off; move
25 it four and a half feet to the right, hear the signal drop

1 off; move it front.

2 THE WITNESS: You have to realize something. This
3 man had no interest in this whatsoever, zero.

4 BY MR. ARONOWITZ;

5 Q So that wasn't done?

6 A He had no interest in it. I had to fight him to
7 do it.

8 MR. NAFTALIN: So what was done?

9 BY MR. ARONOWITZ;

10 Q So walking --

11 A Sweeping the roof.

12 JUDGE STEINBERG: So walking around the --

13 MR. ARONOWITZ: Walking around.

14 JUDGE STEINBERG: -- roof wasn't done, but when
15 you put the whip antenna in the hot spot and he had the head
16 phones on he heard what phenomenon -- whatever it was that
17 came in at the hot spot?

18 THE WITNESS: Yes, Your Honor.

19 MR. ARONOWITZ: Your Honor, it's 10:00.

20 JUDGE STEINBERG: Oh, yes, thanks. Let's take a
21 break. Let's come back at 10:10.

22 (Whereupon, a recess was taken.)

23 JUDGE STEINBERG: Let's go back on the record.

24 BY MR. ARONOWITZ;

25 Q Mr. Turro, the other day you were talking about --

1 in relation to the set up of the Fort -- in terms of
2 demonstrations, you referred to a dummy load, okay?

3 A For audio, correct.

4 Q For audio, and you have a general understanding of
5 what a dummy load is?

6 A Yes.

7 Q Okay. Could a dummy load be used to produce an
8 effect similar to the hot spot found on the roof of the Fort
9 Lee -- of the Mediterranean Towers?

10 A Not exactly, no.

11 Q Well, is it -- could it be?

12 A Not the way this operates, no.

13 Q Could you explain that?

14 A If you had a dummy load up there, let's say -- if
15 you had a dummy load up there and you had it glued to
16 someone's ceiling on the 26th floor, because that's the only
17 way you could really do it, it would radiate beyond that
18 four square foot area. You couldn't control it. Actually,
19 you would hear it all over Fort Lee at that height.

20 Let me -- there is no way that you could radiate a
21 signal at 99.7 at that point and restrict it to that small
22 an area. You would have a heck of a time doing it.

23 JUDGE STEINBERG: I thought it was a very, very
24 weak signal. I mean, if that makes any sense to you.

25 THE WITNESS: You still couldn't -- I -- you can't

1 restrict it to four square feet. You just can't do it.

2 JUDGE STEINBERG: What if you had it in a lead box
3 so that even superman's x-ray vision couldn't get to it, a
4 four square foot, something that radio waves can't get
5 through.

6 THE WITNESS: In order to do that, you would have
7 to have a huge lead box hanging from someone's ceiling on
8 the 26th floor, and it would have to be one heck of a lead
9 box to keep it from penetrating it. It would be a pretty
10 difficult trick to do.

11 And the other thing you have to remember here also
12 is that means that you did it for 99.3, you did it for 91.7,
13 and all the other stations that come in up there. So you
14 would have to have a lot of transmitters and a lot of
15 antennas to make this work, because the same phenomenon at
16 that same point you hear 99.3, you hear 91.7, all from up in
17 the Sullivan County area. So if you were doing something
18 like that, it would be really -- it would be quite a trick
19 to do that.

20 BY MR. ARONOWITZ;

21 Q Couldn't you take -- why would it encompass every
22 radio station in Monticello?

23 Could you generate a one -- could you generate one
24 signal into a dummy load?

25 A Yes.

1 Q Okay. And would that --

2 JUDGE STEINBERG: I think you are misconstruing
3 the answer.

4 MR. ARONOWITZ: Okay.

5 JUDGE STEINBERG: What Mr. Turro testified to
6 earlier was that in this hot spot you can hear more than
7 WJUX. You could also hear other radio stations coming on
8 from upstate New York. And what Mr. Turro just said was --
9 I mean, his last testimony was basically if you generated a
10 signal that -- okay, in the hot spot you can hear more than
11 just the WJUX signal. And so what Mr. Turro is trying to
12 say, I think, was that if you were going to create this
13 phenomenon through a hot spot, it would not be restricted to
14 just WJUX because the hot spot wasn't restricted to WJUX, so
15 that you would be feeding the dummy load of several
16 different stations into that thing hanging from the ceiling
17 of the 26th floor.

18 Is that what you mean to say?

19 THE WITNESS: Exactly, Your Honor.

20 JUDGE STEINBERG: So I think you misconstrued the
21 answer, because the hot spot, according to Mr. Turro's
22 testimony, is not limited to the one station, to just WJUX.

23 BY MR. ARONOWITZ;

24 Q Did you demonstrate to Mr. Loginow reception of
25 other stations in this hot spot?